

REMARKS

Reconsideration of the present application is respectfully requested. No claims have been amended, canceled, or added. As such, claims 1-34 remain pending in the present application.

Claims 1 and 3-9 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,052,563 to Macko ("Macko"). Claim 1 recites, in part, the features of a "memory comprising a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number," "the phonebook...capable of storing, for at least one of the phonebook entries, information about an operational status of a respective subscriber," and a "controller...adapted to update the operational status information of the at least one phonebook entry in response to status data, which are received through [a] radio interface."

In the Office Action, it is asserted that the phonebook of the presently claimed invention is analogous to the "appointment book" of Macko. Applicants respectfully disagree. The appointment book of Macko relates to a calendar that includes information representing daily appointments and configuration information specifying actions to be performed by the communication device with respect to the daily appointments. *See* Macko, col. 3, lines 10-20. In contrast, the phonebook of the presently claimed invention relates to a system for identifying a user and associated telephone numbers. Applicants submit that the phonebook of the present invention is not analogous to the appointment book of Macko.

Even assuming, *en arguendo*, that the appointment book of Macko and the phonebook of the presently claimed invention are analogous, Macko does not teach "a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number" as recited in currently pending claim 1. The appointment book of Macko does not include telephone numbers, and instead includes daily appointment types such as meeting, lunch, vacation, etc. *See* Macko, col. 3, lines 40-45.

Furthermore, Macko also does not teach storing, for at least one of the phonebook entries, information about an operational status of a respective subscriber as recited in claim 1 of the presently claimed invention. The operational status, as defined at page 8, last paragraph of

the originally filed specification, relates to the momentary availability of the users listed in the phonebook. For example, the operational status of “available” relates that the associated identity in the phonebook is not currently participating in an ongoing call and may be available. Macko teaches an appointment type that the user of the device may set in the calendar. Macko does not teach a device that alerts the user of appointments or appointment types that other users of other devices may have scheduled. Applicants submit that the operational status as defined by the specification of the originally filed application is not analogous to the appointment type of Macko.

As Macko does not teach operational status, Macko also does not teach a controller for updating the operational status based on status data received through a radio interface. Macko teaches transmitting messages regarding an appointment, which is not equivalent to an operational status. The messages may be transmitted in response to an incoming message. See Macko, col. 4, lines 27-32. However, Macko does not teach updating any data in response to the incoming message. Instead, Macko teaches transmitting an outgoing message in response to an incoming message. Applicants respectfully submit that claim 1 distinguishes over Macko and requests that the §102 rejection of claim 1 be withdrawn.

Claim 3-9 are either directly or indirectly dependent from claim 1 and should distinguish over Macko for at least the same reasons as stated above. Applicants respectfully request that the §102 rejection of claims 3-9 be withdrawn.

Claims 14, 15, 31, and 34 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,218,628 to Ito et al. (“Ito”). Claim 14 recites, in part, the features of “a method of operating a telecommunications network involving a plurality of subscribers of *mobile telecommunications services*.”

In contrast, Ito relates to displaying the status of wired lines of a *wired* telephone network. See Ito, Abstract. Accordingly, Ito does not teach or suggest a method of operating a telecommunications network involving a plurality of subscribers of mobile telecommunications services as required by claim 14.

Furthermore, claim 14 recites the features of “keeping record of the selected subscriber”, “determining an operational status of the selected subscriber”, and “transmitting the determined operational status to the individual subscriber.”

Instead, Ito teaches displaying the status of wired lines, not the subscriber as recited in claim 14. In addition, each mobile unit of Ito knows the status of the wired lines, not the other mobile units. See Ito, Abstract. Ito merely teaches requesting and displaying the status of the wired lines and therefore does not teach or suggest keeping record of the selected subscriber as taught by claim 14. Applicants respectfully submit that claim 14 distinguishes over Ito and requests that the §102 rejection of claim 14 be withdrawn.

Claim 15 is directly dependent on claim 14 and should distinguish over Ito for at least the same reasons as stated above. Applicants respectfully request that the §102 rejection of claim 15 be withdrawn.

Claim 31 recites, in part, the features of “receiving a request from a user of the first telecommunication apparatus to check an operational status of the second telecommunication apparatus,” “generating a second digital message containing an indication of the operational status of the second telecommunication apparatus,” and “providing a notification to said user concerning the operational status of the second telecommunication apparatus.”

As set forth above, Ito teaches displaying the status of wired lines, not the telecommunication apparatus as recited in claim 31. In addition, each mobile unit of Ito knows the status of the wired lines, not the other mobile units. See Ito, Abstract. Ito merely teaches requesting and displaying the status of the wired lines and therefore does not teach or suggest providing a notification to the user concerning the operational status of another telecommunication apparatus as recited in claim 31. Applicants respectfully submit that claim 31 distinguishes over Ito and requests that the §102 rejection of claim 31 be withdrawn.

Claim 34 is directly dependent from claim 31 and should distinguish over Ito for at least the same reasons as stated above. Applicants respectfully request that the §102 rejection of claim 34 be withdrawn.

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Macko in view of Ito. As set forth above with respect to claim 1, Macko does not teach the features of a “memory comprising a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number,” “the phonebook...capable of storing, for at least one of the phonebook entries, information about an operational status of a respective subscriber,” and a “controller...adapted to update the operational status information of the at least one phonebook entry in response to status data, which are received through [a] radio interface” as recited in claim 1. Ito does not remedy the deficiencies of Macko in that Ito also does not teach these features. Ito does not relate to a phonebook and further does not teach storing information relating to the operational status of a subscriber. Applicants submit that claim 2 distinguishes over the combination of Macko and Ito and request that the §103 rejection of claim 2 be withdrawn.

Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Macko in view of U.S. Patent No. 6,226,529 to Bruno et al. (“Bruno”). As noted above, Macko does not teach the features of “memory comprising a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number,” “the phonebook...capable of storing, for at least one of the phonebook entries, information about an operational status of a respective subscriber,” and a “controller...adapted to update the operational status information of the at least one phonebook entry in response to status data, which are received through [a] radio interface” as recited in claim 1. Bruno does not remedy the deficiencies of Macko in that Bruno is merely cited for the purpose of teaching communicating via a data channel in a digital telecommunication system. Applicants respectfully submit that claim 10 distinguishes over the combination of Macko and Bruno and request that the §103 rejection of claim 10 be withdrawn.

Claims 11 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Macko in view of U.S. Patent No. 6,675,010 to Yeh (“Yeh”). Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ito in view of Yeh. Claim 30 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ito and U.S. Patent No. 5,329,578 to Brennan et al. (“Brennan”) in view of Yeh. The earliest effective date of Yeh is June 22, 2000, whereas the present application claims priority to a Swedish application filed on March 22, 2000. As such,

Yeh is not a valid prior art reference against the present application and Applicants request that the §103 rejection of claims 11, 13, 19, and 30 be withdrawn.

Claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Macko in view of U.S. Patent No. 6,661,773 to Pelissier et al. ("Pelissier"). As set forth above with respect to claim 1, Macko does not teach the features of a "memory comprising a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number," "the phonebook...capable of storing, for at least one of the phonebook entries, information about an operational status of a respective subscriber," and a "controller...adapted to update the operational status information of the at least one phonebook entry in response to status data, which are received through [a] radio interface." Pelissier does not remedy the deficiencies of Macko in that Pelissier is merely cited for the purpose of teaching a global area network. Applicants submit that claim 12 distinguishes over the combination of Macko and Pelissier and request that the §103 rejection of claim 12 be withdrawn.

Claims 16 and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ito in view of Macko. As set forth above with respect to claim 14, Ito does not teach "keeping record of the selected subscriber", "determining an operational status of the selected subscriber", and "transmitting the determined operational status to the individual subscriber." In addition, as set forth above with respect to claim 31, Ito does not teach the features of "receiving a request from a user of the first telecommunication apparatus to check an operational status of the second telecommunication apparatus," "generating a second digital message containing an indication of the operational status of the second telecommunication apparatus," and "providing a notification to said user concerning the operational status of the second telecommunication apparatus."

Instead, Ito teaches displaying the status of wired lines, not the subscriber or telecommunication apparatus as recited in claims 14 and 31 respectively. In addition, each mobile unit of Ito knows the status of the wired lines, not the other mobile units. See Ito, Abstract. Ito merely teaches requesting and displaying the status of the wired lines and therefore does not teach or suggest keeping record of the selected subscriber as taught by claim 14. Macko does not remedy the deficiencies of Ito in that Macko does not teach checking the operational status or generating a message containing an indication of the operational status of

another telecommunication apparatus (see claim 1 above). Applicants submit that claims 16 and 33 distinguish over the combination of Ito and Macko and request that the §103 rejection of claims 16 and 33 be withdrawn.

Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ito in view of Bruno. As noted above with respect to claim 14, Ito does not teach “keeping record of the selected subscriber”, “determining an operational status of the selected subscriber”, and “transmitting the determined operational status to the individual subscriber.” Bruno does not remedy the deficiencies of Ito in that Bruno is merely cited for the purpose of teaching communicating via a data channel in a digital telecommunication system. Applicants submit that claim 17 distinguishes over the combination of Ito and Bruno and request that the §103 rejection of claim 17 be withdrawn.

Claim 18 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ito in view of Pelissier. The Office Action states that claim 18 is rejected for the same reasons as stated above with respect to claim 12. Applicants submit that claim 18 distinguishes over Ito and Pelissier for at least the same reasons as stated above with respect to claim 12 and request that the §103 rejection of claim 18 be withdrawn.

Claims 20-26, 28, and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ito in view of Brennan. As set forth above with respect to claim 14, Ito does not teach “receiving a request to check an operational status of the remote telecommunication apparatus,” “determining the operational status of the remote telecommunication apparatus,” and “indicating the determined operational status of the remote telecommunication apparatus.”

Instead, Ito teaches displaying the status of wired lines, not the telecommunication apparatus as recited in claim 20. In addition, each mobile unit of Ito knows the status of the wired lines, not the other mobile units. See Ito, Abstract. Ito merely teaches requesting and displaying the status of the wired lines and therefore does not teach or suggest providing an indication to the user concerning the operational status of another telecommunication apparatus as recited in claim 20. Brennan does not remedy the deficiencies of Ito in that Brennan also does not teach “receiving a request to check an operational status of the remote telecommunication apparatus,” “determining the operational status of the remote telecommunication apparatus,” and

"indicating the determined operational status of the remote telecommunication apparatus" as recited in claim 20. In contrast, Brennan is merely cited for the purpose of teaching a telephone number of a caller to identify the PCS subscriber. Applicants respectfully submit that claim 20 distinguishes over the combination of Ito and Brennan and requests that the §103 rejection of claim 20 be withdrawn.

Claims 21-26, 28, and 32 are either directly or indirectly dependent from one of claim 20 or 31 and should distinguish over the combination of Ito and Brennan for at least the same reasons as stated above. Applicants respectfully request that the §103 rejection of claims 21-26, 28, and 32 be withdrawn.

Claims 27 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ito and Brennan in view of Macko. As set forth above with respect to claim 20, Ito and Brennan do not teach "receiving a request to check an operational status of the remote telecommunication apparatus," "determining the operational status of the remote telecommunication apparatus," and "indicating the determined operational status of the remote telecommunication apparatus" as recited in claim 20. Macko does not remedy these deficiencies in that Macko also does not teach these features (see claim 1 above). Applicants respectfully submit that claims 27 and 29 distinguish over the combination of Ito, Brennan, and Macko and request that the §103 rejection of claims 27 and 29 be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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